

**From:** [Lewicki, Chris](#)  
**To:** [Wall, Tom](#); [Monschein, Eric](#); [Klos, Caroline](#)  
**Cc:** [Havard, James](#); [Conde, Rosaura](#); [Hunter, Christopher](#)  
**Subject:** RE: WB weekly talking points  
**Date:** Friday, January 5, 2018 09:26:21  
**Attachments:** [Deschutes TMDL NOI Briefing\\_Final.docx](#)

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Tom,

“Other Problems”, in a nutshell, are listed below. For more detail, see briefing paper attached.

(b) (5)

[Redacted text block containing multiple lines of information, likely a list or detailed description of "Other Problems".]

Ecology chose to send another submittal letter concerning the Deschutes TMDL on July 17, 2017, asking EPA “to focus” on a subset of TMDLs for bacteria, temperature, and fine sediment (n = 46). The 2017 letter states that Ecology will revisit the Deschutes River TMDL for necessary parameters in 2030 if actions included in its implementation plan (e.g., development of full mature riparian vegetation) are not met by then. In addition, the 2017 letter included two augmentations to the bacteria and water temperature TMDLs intended to remedy some acknowledged deficiencies in the original submission. These augmentations include: (1) an equation to calculate a numeric daily loading value for temperature (allowable stormwater discharge); and (2) including a table expressing bacteria allocation in daily units. (b) (5) ACP

.**From:** Wall, Tom

**Sent:** Friday, January 05, 2018 10:20 AM

**To:** Monschein, Eric <Monschein.Eric@epa.gov>; Klos, Caroline <Klos.caroline@epa.gov>  
**Cc:** Havard, James <Havard.James@epa.gov>; Lewicki, Chris <Lewicki.Chris@epa.gov>; Conde, Rosaura <Conde.Rosaura@epa.gov>; Hunter, Christopher <Hunter.Christopher@epa.gov>

**Subject:** RE: WB weekly talking points

Thanks Eric, I guess this is one of the TMDLs that would get a spotlight if we were tracking 30 day approvals. (b) (5)

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**From:** Monschein, Eric

**Sent:** Thursday, January 04, 2018 5:49 PM

**To:** Klos, Caroline <[Klos.caroline@epa.gov](mailto:Klos.caroline@epa.gov)>

**Cc:** Havard, James <[Havard.James@epa.gov](mailto:Havard.James@epa.gov)>; Wall, Tom <[Wall.Tom@epa.gov](mailto:Wall.Tom@epa.gov)>; Lewicki, Chris <[Lewicki.Chris@epa.gov](mailto:Lewicki.Chris@epa.gov)>; Conde, Rosaura <[Conde.Rosaura@epa.gov](mailto:Conde.Rosaura@epa.gov)>; Hunter, Christopher <[Hunter.Christopher@epa.gov](mailto:Hunter.Christopher@epa.gov)>

**Subject:** WB weekly talking points

### 2018 Integrated Reporting Memo

- On December 22, John Goodin signed the memo titled “Information Concerning 2018 Clean Water Act Sections 303(d), 305(b), and 314 Integrated Reporting and Listing Decisions” (2018 Integrated Reporting Memo).
- Consistent with previous Integrated Reporting memos, this memo provides information to assist EPA Regions prepare to review the Integrated Reports developed by the states in accordance with Clean Water Act (CWA) Sections 303(d), 305(b), and 314.
- This memorandum focuses on the transition to electronic reporting via the Assessment and Total Maximum Daily Load Tracking and Implementation System (ATTAINS); it doesn’t discuss policy changes beyond that.
- The transition to electronic IR submission allows EPA and states to process information in a timelier manner for use in the National Water Quality Inventory Report to Congress; the variable portion of the Section 106 grant allocation formula; water quality listing decisions; and analyses supporting actions to protect and restore waters and track progress toward that goal.

### Deschutes River TMDLs

- EPA’s answer to Northwest Environmental Advocates (NWEA) Deschutes River TMDL single-count complaint must be filed in the W.D. of Washington (Seattle) court no later than January 12th.
- Northwest Environmental Advocates (NWEA) filed its complaint, on Monday Nov 6<sup>th</sup>, in the W.D. of Washington (Seattle) court alleging EPA failed to carry out its nondiscretionary duty to approve or disapprove the Deschutes River TMDLs within thirty days after submission by the state.
- R10 received the original TMDL submission package in December 2015 and has not yet taken action.
- The state made a supplemental submission in July 2017 that arguably includes new load calculations for some of the TMDLs. R10 has not acted on that either.
- (b) (5)

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(b) (5)

- We will be scheduling briefings for OW to discuss R10, OWOW and OGC's recommendations for which TMDLs to approve and disapprove.

#### Background

- EPA received NWEA's notice of intent to sue on August 25, 2017.

- (b) (5)

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